

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F053127 People v. Jones

The judgment is affirmed. Kane, J.

We concur: Vartabedian, Acting P.J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F054748 West Hills Farms, Inc. et al., v. RCO AG Credit, Inc.,

The trial court's order is affirmed. Costs on appeal are awarded to plaintiffs. Kane, J.

We concur: Vartabedian, Acting P.J.; Dawson, J.

[CERTIFIED FOR PUBLICATION]

F055336 In re D.J., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F055336 In re D.J., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F055848 In re J.R., III et al., Minors

The above-entitled case is submitted for decision.

F055848 In re J.R., III et al., Minors

The order terminating parental rights is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F055047 In re R.H., a Minor

The court finds that R.H. is a vexatious litigant within the meaning of section 391, subdivision (b)(1). The Clerk/Administrator of this court is directed to provide a copy of this opinion and our prefiling order to the Judicial Council. (Code Civ. Proc., § 391.7, subd. (e).) Copies shall also be mailed to the presiding judge and the Clerk of the Fresno County Superior Court. The appeal is otherwise dismissed as abandoned.

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Henceforth, pursuant to section 391.7, R.H. may not file “any new litigation in the courts of this state in propria persona without first obtaining leave of the presiding judge of the court where the litigation is proposed to be filed.” (§ 391.7, subd. (a).) Disobedience of this order may be punished as a contempt of court. (*Ibid.*) Further, the presiding judge shall permit the filing of such litigation only if it appears that the litigation has merit and has not been filed for the purposes of harassment or delay. (§ 391.7, subd. (b).)

As to R.H.’s future attempts in propria persona to file a notice of appeal or writ petition with this court, the permission R.H. must seek for leave to file an appeal or writ petition is that of this court’s presiding justice. In the case of a notice of appeal submitted by R.H. in propria persona for possible review by this court, we direct that the clerk of the superior court shall mark it “received” and forward it to this court, along with a copy of the order referenced in the notice of appeal. Thereafter, the Court Clerk/Administrator of this court shall receive but not file the notice of appeal until R.H. in propria persona receives a prefiling order from this court’s presiding justice. Similarly, if R.H. in propria persona submits a writ petition to this court, the court Clerk/Administrator of this court shall receive but not file the writ petition until R.H. in propria persona receives a prefiling order from this court’s presiding justice.

Upon receipt of the notice of appeal or writ petition, this court will notify R.H., by mail, of our receipt and give him 30 days to apply for such permission. Included for the vexatious litigant’s use will be a copy of “APPLICATION FOR PERMISSION TO APPEAL OR TO FILE WRIT PETITION” developed by this court. (See appen. A, *post.*) Under penalty of perjury, R.H., in propria persona, like any other vexatious litigant, must provide facts and legal authority telling the court with specificity why his appeal or petition has merit. If the showing is insufficient, or if R.H. fails to request permission to file in the time provided, the appeal or petition will not be filed and the case number will be closed.

Vartabedian, Acting P.J.

We concur: Cornell, J.; Kane, J.

[CERTIFIED FOR PUBLICATION]

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F055136 In re E.A., a Minor

The judgment is affirmed and remanded with directions. Dawson, J.

We concur: Wiseman, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F053958 People v. Khe

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.